

Division of Solid and Hazardous Waste
P.O. Box 414
Trenton, N. J. 08625
Tel. # (609) 984-6650
Fax. # (609) 633-9839

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Frank Ferraro, P.E., Project Engineer
Vollers Excavating & Construction, Inc.
P.O. Box 5297
North Branch, N.J. 08876

RE: Vollers Excavating & Construction, Inc.
Modification to Class B Recycling Center
Branchburg Township, Somerset County
Facility No. 1805001178

Dear Mr. Ferraro:

This is in response to your requests, dated July 27, 1998 and October 5, 1998, wherein you requested the following modifications to your General Class B Recycling Center Approval dated March 4, 1999.

1. Addition of 240 tons per day of wood materials to be accepted at the facility and addition of new wood processing equipment.
2. Increase the maximum daily capacity of concrete and bituminous materials to 1333 cubic yards per day.
3. Increase the facility capacity to a total of 1573 tons per day.
4. Addition of the unprocessed wood storage area containing 8,700 cubic yards of capacity.
5. Addition of the processed wood storage area containing 9,870 cubic yards of capacity.
6. Revised site plan delineating the above modifications.

Our review of each of these modification requests has been completed and as a result we have found each to be acceptable.

Enclosed is the revised approval, which indicates the modification to the conditions effected, Conditions A.1, B.1, C.3, C.4, C.5, C.6, C.8 and C.9. Be also advised that all of the conditions as contained in your General Approval Renewal issued on March 4, 1999 shall remain in effect.

If you have any further questions regarding this matter, you may contact James Pagano, of my staff, at (609) 984-6650.

Sincerely,

Thomas Sherman
Assistant Director
Office of Permitting &
Technical Programs

TS:JJP

Enclosure

C: Rai Belonzi, Chief, Bureau of Inspections and Investigations
Brian Petitt, Bureau of Inspections and Investigations
Diane Vigilante, Mgr., Somerset Co. Solid Waste Mgmt. Div.
Roseann Brown, Somerset County Recycling Coordinator
Municipal Clerk, Branchburg Township
Health Officer, Somerset County Health Department
James J. Pagano, DSHW, NJDEP

Compliance with the terms of this Approval does not relieve Vollers Excavating & Construction, Inc. or its principals of the obligation to comply with all applicable local, State and federal statutes, rules and other permits and municipal approvals or ordinances which are not preempted by the DEP solid waste regulations at N.J.A.C. 7:26-1 et seq. And the recycling regulations at N.J.A.C. 7:26A-1 et seq.

Failure to comply with all the conditions specified herein may result in revocation of this Approval and/or may result in other regulatory or legal actions which the Department is authorized to institute by law.

This Approval shall be effective for not more than five (5) years.

An Approval renewal shall be obtained from the Department prior to any activities which are to occur after the expiration of this Approval. In applying for a renewal, applicants shall follow the renewal submission requirements and procedures set forth in N.J.A.C. 7:26A-3.6.

This Approval is non-transferable, except as set for in N.J.A.C. 7:26A-3.15.

March 4, 1999
Issuance Date

Signed by Thomas Sherman, Assistant Director
Thomas Sherman
Assistant Director
Office of Permitting and
Technical Programs

April 27, 1999
Modification Date

February 22, 2004
Expiration Date

**Recycling Center General Approval
for
VOLLERS EXCAVATING & CONSTRUCTION, INC.**

A. AUTHORIZED RECYCLABLE MATERIALS

1. Permitted Class B Recyclable Materials (Revised 4/27/99)

The following source separated Class B recyclable materials which have been separated at the point of generation from other waste materials or separated at a permitted solid waste facility authorized to separate recyclable materials may be received, stored, processed or transferred at this facility:

Asphalt (Bituminous material)
Concrete
Concrete/Masonry Block
Brick
Wood (unpainted and non-chemically treated)

At no time shall the receipt, storage, processing or transferring of non-source separated construction and demolition material be allowed at this facility. The prohibition of this material shall be strictly enforced and any incident shall be considered a serious violation to the conditions of this Approval.

2. By-Products

Incidental amounts of rebar, metal, soil and other by-products which adhere to the Class B recyclable materials as specified in Condition A.1 and returned to the economic mainstream as raw material or products. It's receipt shall not be separately accounted for but its storage and end-markets shall be subject to specific conditions of this Approval.

3. Contaminants

The maximum amount of contaminants allowed, as defined at N.J.A.C. 7:26A-1.3, in each incoming load of Class B recyclable materials for acceptance shall be limited to 1% by volume.

Incidental by-product materials included within the Class B recyclable materials shall not be considered to be contaminants.

B. DESIGN AND CONSTRUCTION (Revised 4/27/99)

The construction of this facility shall be in accordance with the provisions of N.J.A.C. 7:26A-1 et seq., the New Jersey Uniform Construction Code, the approved documents listed below and this Approval.

1. Approved Documents

Site Plan: prepared by Frank Ferraro, P.E., P.P. (NJ License No. 32590); sheet 1; dated 7/6/98 and signed by James R. McAleer, Branchburg Township Fire Official, 10/22/98 and sheet 2, dated 7/6/98.

Letter and attachments, dated 9/22/93, from Frank Ferraro, P.E., Project Engineer, Vollers Excavation & Construction, Inc. to Bruce

Witkowski, Supervisor, Recycling Centers, Division of Solid Waste Management.

Letter and attachments, dated 10/27/92, from Frank Ferraro, P.E., Project Engineer, Vollers Excavation & Construction, Inc. to Bruce Witkowski, as incorporated by references within the cited 9/22/93 letter.

Letter and attachments, dated 7/27/98, requesting modification to Class B Approval, prepared by Frank Ferraro, P.E., P.P.

Letter and attachments, dated 9/14/98, providing additional information to support request for modification to Class B Approval, prepared by Frank Ferraro, P.E., P.P.

Letter of revised modification request, dated 10/15/98, providing additional information to support request for modification to Class B Approval, prepared by Frank Ferraro, P.E., P.P.

Letter dated 1/27/99, from Sukhdev S. Bhalla, P.E., Chief, Bureau of Landfill and Recycling Management, to Frank Ferraro, P.E., P.P., Project Engineer, Vollers Excavating and Construction, Inc., providing notification of the Bureau's intent to approve the modification request for an increase in capacity.

Letters and attachments, dated 1/29/99, containing copies of published newspaper notice by Vollers Excavating and Construction, Inc. and notification to Somerset County officials regarding the modification request.

C. RECYCLING CENTER OPERATIONAL STANDARDS

The operation of this facility shall be in accordance with the provisions of N.J.A.C. 7:26A-1 et seq., the standards set forth herein and the approved documents specified in Condition B.1. Where any discrepancy exists, the terms of this Approval shall prevail.

1. Hours of Operation

Hours of operation for receiving, storing, processing or transferring source separated recyclable material as specified in Condition A.1 of this Approval shall be limited to 7:00 a.m. to 5:00 p.m., Monday through Friday.

2. Residue

Residue generated as a result of processing source separated recyclable materials shall not exceed 1% by volume of the daily amount accepted.

Residue defined as solid waste, shall be transported by a NJDEP registered collector/hauler to the facilities in compliance with the Somerset County District Solid Waste Plan.

Residue shall be stored separately from recyclable material in containers and in a manner which prevents run-off, leakage or seepage from the residue storage area into, on or around the soil of the residue storage area.

No residue shall be stored on site for a period exceeding six (6) months without prior approval of the NJDEP.

3. Maximum Daily Capacity (Revised 4/27/99)

The Vollers Excavating & Construction, Inc. recycling center may receive no more than 1573 tons per day of recyclable materials, consisting of 1333 tons per day of concrete, asphalt (Bituminous material), concrete/masonry block and brick and 240 tons per day of wood materials, as specified in Condition A.1 of this Approval.

4. Maximum Weekly Capacity (Revised 4/27/99)

The Vollers Excavating & Construction, Inc. recycling center may receive no more than 7,865 tons per week of recyclable materials, consisting of 6,665 tons per week of concrete, asphalt (Bituminous material), concrete/masonry block and brick and 1,200 tons per week of wood materials, as specified in Condition A.1 of this Approval.

5. Unprocessed Materials Storage (Revised 4/27/99)

- a. The total amount of unprocessed concrete, asphalt, concrete/masonry block and brick stored on site shall not exceed 10,800 cubic yards. Unprocessed concrete, asphalt, concrete/masonry block and brick shall be stored only in those areas as designated for that purpose as indicated on the approved site plan drawings.

If at any time, the amount of unprocessed concrete, asphalt, concrete/masonry block and brick stored on site exceeds 10,800 cubic yards, Vollers Excavating & Construction, Inc. shall immediately cease receiving concrete, asphalt, concrete/masonry block and brick until the amount of processed concrete, asphalt, concrete/masonry block and brick stored on site falls below 10,800 cubic yards.

- b. The total amount of unprocessed wood materials stored on site shall not exceed 8,700 cubic yards. Unprocessed wood materials stored on site shall be stored only in those areas designated for that purpose as indicated on the approved site plan drawing.

If at any time, the total amount of unprocessed wood materials stored on site exceeds 8,700 cubic yards, Vollers Excavation & Construction, Inc. shall immediately cease receiving unprocessed wood materials until the amount of Class B recyclable wood materials stored on site falls below 8,700 cubic yards.

6. Processed Materials Storage (Revised 4/27/99)

- a. The total amount of processed concrete, asphalt, concrete/masonry block and brick stored on site shall not exceed 4,740 cubic yards. Processed concrete, asphalt, concrete/masonry block and brick shall be stored in those areas as designated for that purpose as indicated on the approved site plan drawings.

If at any time, the amount of processed concrete, asphalt, concrete/masonry block and brick stored on site exceeds 4,740 cubic yards, Vollers Excavating & Construction, Inc. shall immediately cease processing concrete, asphalt, concrete/masonry block and brick until the amount of processed concrete, asphalt, concrete/masonry block and brick stored on site falls below 4,740 cubic yards.

- b. The total amount of processed wood materials stored on site shall not exceed 9,870 cubic yards. Processed material shall be stored only in those areas as designated for that purpose as indicated on the approved site plan drawings.

If at any time, the amount of processed wood materials stored on site exceeds 9,870 cubic yards, Vollers Excavating & Construction, Inc. shall immediately cease processing wood materials until the amount of processed wood materials stored on site falls below 9,870 cubic yards.

All processed material shall be stored separately from residues.

7. By-Products Storage

By-Products shall be stored in the container(s) or area(s) as depicted on the approved site plan and shall be removed off-site to the end markets as referenced in the approved documents.

8. Horizontal and Vertical Controls (Revised 4/27/99)

Horizontal and vertical control points for the unprocessed and processed materials stockpile areas shall be set and maintained on site. Horizontal limitation markers shall be set at the corners of the stockpile areas as depicted on the approved site plan. Vertical limitation markers shall be set at locations in close proximity of the stockpile areas and shall clearly establish elevation heights of 15 feet above the existing grade for the unprocessed asphalt stockpile area and 20 feet above the existing grade for the unprocessed concrete and wood stockpile areas.

Vertical limitation markers shall be set at locations in close proximity of the stockpile areas and shall clearly establish elevation heights of 18 feet above the existing grade for the processed asphalt and concrete stockpiles and 20 feet above the existing grade for the processed wood stockpile area.

Metal pipe or metal rods or the equivalent as approved by the Department shall be used to establish these control points. Within approximately thirty (30) days of the date of this Approval, a joint site inspection shall be held at the facility between the owner/operator and representatives of the Department for the purpose of establishing the locations of these markers.

9. Commingling (Revised 4/27/99)

Vollers Excavating & Construction, Inc. may receive, store, process or transfer source separated concrete, concrete/masonry block and brick separately or in a commingled manner. Should Vollers Excavating & Construction, Inc. want to commingle concrete and asphalt materials, application to modify this general approval shall first be submitted which establishes that an end-market exists for the commingled processed materials.

Vollers Excavating & Construction, Inc. may receive, store, process or transfer source separated wood products separately or in a commingled manner. At no time may any wood products be commingled with concrete and asphalt materials.

10. Applicable Regulations

The operation and related activities of this recycling center shall be in conformance with all applicable federal, State, county, municipal and local statutes, rules and ordinances including but not limited to nuisance, noise, fire and safety codes.

11. Safety Procedures

The operation of the recycling center shall be in conformance with the Occupational Safety and Health Act (OSHA) regulations as contained in the General Industry Standards 29 CFR 1910. Construction activities shall be in conformance with the OSHA regulations as contained in the Construction Industry Standards 29 CFR 1926. A copy of the safety procedures shall be posted on site.

12. Housekeeping

Routine housekeeping and maintenance procedures shall be implemented within the recycling center interior to prevent the accumulation of litter, dust and debris, and to maintain general cleanliness in the working environment.

13. Odor Control

The operation of this recycling center shall not cause any air contaminant, including an air contaminant detectable by the sense of smell, to be present in the outdoor atmosphere in such quantity and duration which is, or tends to be, injurious to human health or welfare, animal or plant life or property, except for malodorous emissions emanating from the recycling center which result in odors in areas over which the owner and/or operator has exclusive use or occupancy.

14. Vector Control

The recycling center shall institute and maintain an effective vector control program at the center, directed by a qualified applicator of pesticides as set forth in the New Jersey Pesticide Control Code N.J.A.C. 7:30.

15. Fire Protection and Emergency Response

Fire fighting and emergency procedures shall be posted, and shall include the telephone number of local fire, police, ambulance and hospital facilities.

If a fire occurs on-site, the facility shall immediately notify the local fire official and within 24 hours report the incident to the DEP Hotline at (609) 292-7172.

16. Entrance Sign

A legible sign shall be posted and maintained at the entrance to the recycling center and indicate the hours of operation of the recycling center as well as the following information:

- a. A listing of the approved recyclable materials as specified in Condition A.1 of this Approval.
- b. The size, weight or other restrictions regarding materials to be received.

- c. A notice that all vehicles delivering materials to the recycling center will be inspected, and if found to contain contaminants greater than 1% by volume, will be rejected.
- d. A notice that all vehicles delivering materials to the recycling center shall complete and certify a materials receipt form.

17. Soil Tracking Control

Mud, soils or other materials shall not be tracked onto any public roads by any exiting vehicles. Effective measures shall be implemented to comply with this condition.

18. Site Access

Ingress and egress of the facility shall be restricted to Gates A and B only as shown on the Plot Plan.

19. Hazardous Waste

Any suspected or prohibited hazardous waste, as defined at N.J.A.C. 7:26G-5, found in a load accepted at the facility shall not be returned to the generator. Such materials shall be segregated and stored in a secure manner and shall be immediately reported to the N.J.D.E.P. Environmental Action Hotline at (609) 292-7172. The owner/operator shall secure the name of the collector/hauler suspected of delivering such waste to the facility and related information surrounding the incident, if available, and shall make this information known to the Department's enforcement personnel.

20. Air Pollution Control Permits

All processing equipment shall be operated in a manner which is in compliance with any air pollution control permits issued pursuant to N.J.A.C. 7:27-8 and 7:27-22.

21. Dust Control

Dust shall be controlled by the spraying of water, the spreading of calcium chloride or equivalent means as approved by this Division.

22. Noise Control

Noise controls shall be implemented so that noise levels generated at the recycling operation shall not exceed the standards set forth by New Jersey Noise Control Regulations under N.J.A.C. 7:29-1.2.

23. Documents On-Site

A copy of the approved documents as referenced in Condition B.1 and a copy of this Approval shall be maintained at the facility and shall be made available for inspection by Department personnel or its designated representatives.

24. End-Markets

All end-markets to which recyclable materials are transported from the recycling center shall remain consistent with those end-markets specified in the approved documents. Any modification in the actual end-market for a recyclable material specified in Condition A.1 shall be in conformance with N.J.A.C. 7:26A-3.10(f).

25. Right of Entry

The New Jersey Department of Environmental Protection shall have the right to enter and inspect, without prior notice, any building or other portion of the recycling center, or any other location of the company or its affiliated companies at any time.

This right to inspect includes, but not limited to, the right to engage in the following activities:

- a. Sample any materials on site;
- b. Photographing or videotaping any portion of the recycling center;
- c. Investigating an actual or suspected source of pollution of the environment;
- d. Ascertaining compliance or non-compliance with the statutes, rules or regulations of the NJDEP, including conditions of the recycling center approval issued by the NJDEP; or
- e. Reviewing and copying all applicable records, which shall be made available to the NJDEP during an inspection and submitted to the NJDEP upon request.

D. RECORDKEEPING AND REPORTING

1. Recordkeeping

In accordance with N.J.A.C. 7:26A-3.17, Vollers Excavating & Construction, Inc. shall maintain daily records of all materials received, stored, processed or transferred at the site. Said records shall be available at all times for inspection and shall indicate, at a minimum, the following:

- a. A daily record of the amounts of each recyclable material by type and municipality of origin which are received, stored, processed or transferred at the site. Those operators specifying this information in cubic yards shall also indicate the conversion ratio of the materials from cubic yards to tons.
- b. The name, address, and telephone number of the end-markets for all recyclable materials transported from the recycling center, including the amount, in tons or cubic yards, transported to each end-market. Those persons specifying this information in cubic yards shall also indicate the conversion ratio of the materials from cubic yards to tons. NJDEP reserves the right to verify all end-market information submitted by Vollers Excavating & Constructions, Inc.

- c. The amount of residue disposed of, expressed in tons or cubic yards, including the name and the New Jersey Department of Environmental Protection solid waste registration number of the solid waste collector/hauler contracted to provide the haulage/disposal service. Those persons specifying the amount of residue in cubic yards shall also indicate the conversion ratio of residue from cubic yards to tons.

Vollers Excavating & Construction, Inc. shall retain the information for three (3) calendar years following the calendar year for which reporting is required.

2. Reporting

a. Annual Report

In accordance with N.J.A.C. 7:26A-3.17, Vollers Excavating & Construction, Inc. shall submit an annual report containing monthly summary statements of the information required pursuant to Condition D.1 above to the New Jersey Department of Environmental Protection on or before February 1 of each year, for the previous calendar year. The summaries shall include monthly totals of the amount of recyclable product transferred to each end-market. The summaries shall also include the amount of residue disposed of during each month. An annual fee will be paid to the Department on May 1, in accordance with N.J.A.C. 7:26A-2.1(b)1;

b. Residue Disposal

Vollers Excavating & Construction Co., Inc. shall certify in writing that all residue generated at the recycling center has been disposed of in accordance with the solid waste management rules at N.J.A.C. 7:26. The certification shall be submitted annually as part of the annual report;

c. Tonnage Report

Vollers Excavating & Construction, Inc. shall provide a recycling tonnage report by February 1 of each year to all municipalities from which recyclable material was received in the previous calendar year. The report shall detail the amount of each source separated recyclable material, expressed in tons or cubic yards, brought to the recycling center. Those persons specifying this information in cubic yards shall also indicate the conversion ratio of the materials from cubic yards to tons.

One original and one copy of the annual report and tonnage report shall be submitted to:

New Jersey Department of Environmental Protection
Division of Solid and Hazardous Waste
P.O. Box 414
Trenton, New Jersey 08625-0414

Failure to comply with any or all conditions of this Approval will result in the NJDEP seeking relief under the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq. Specifically, each day of

failure to so comply shall constitute a separate violation on the basis of which a penalty shall be assessed pursuant to N.J.S.A. 13:1E-9 and may subject Vollers Excavating & Construction, Inc. to regulation as a solid waste facility pursuant to N.J.S.A. 13:1E-1 et seq. and N.J.A.C. 7:26-1 et seq.

The issuance of this Approval and the conditions of operation identified herein shall not be interpreted as relieving the applicant of his responsibility to secure and maintain all other applicable federal, State and local permits or similar forms of authorization relating to the construction and operation of this facility.

